

3. Defendant Pure Transportation, LLC, is a foreign corporation organized and existing under the laws of the state of Michigan, whose principal address is 1163 Souter Blvd., Troy, MI 48083, and can be served with process via their Registered Agent, Lisa Blackwell, at 1477 Joppa Rd.; Walling, TN 38587.

4. Defendant Ashour Kado (“Kado”), is a citizen and resident of Macomb County in the state of Michigan, residing at 2157 E. 14 Mile Rd., Apt 104, Sterling Heights, MI 48310, and can be served with process via the Tennessee Secretary of State.

5. Defendants Pure Transportation and Defendant Kado are the owners and operators of a trucking company which operates in multiple states under the jurisdiction of the United States Department of Transportation Federal Motor Carrier Safety Administration, 49 C.F.R. § 390 through 392.

VENUE

6. Plaintiffs bring this cause of action as a result of a tractor-trailer collision which occurred on May 24, 2021, on Interstate 75 in Campbell County, Tennessee, within the Eastern District of Tennessee and therefore allege that venue is appropriate pursuant to 28 U.S.C. § 1391(b)(2).

STATEMENT OF FACTS

7. On May 24, 2021, Plaintiff Adam House was operating a 2015 Nissan Murano in a southerly direction in the right-hand lane on Interstate 75 near mile marker 160, in Campbell County, Tennessee. He was approaching the rest area exit ramp of the first rest stop near the Tennessee/Kentucky border, which is on the west side of I-75.

8. Plaintiff Adam House was driving carefully and at a reasonable rate of speed when the defendant Kado, operating a tractor trailer truck owned by defendant Pure

Transportation, LLC, attempted to enter the interstate.

9. While merging onto the interstate, defendant Kado collided with the right side of plaintiff Adam House's vehicle.

10. Defendant Kado was operating his vehicle at an excessive rate of speed without observing whether lanes were clear, without keeping a proper lookout, and failing to utilize the full length of the on ramp to travel south along the interstate before entering the traffic lanes.

11. These failures caused defendant Kado to crash into the right side of the plaintiff's vehicle.

12. Plaintiff Adam House did not have an opportunity or the ability to switch lanes due to traffic in the left lane preventing plaintiff Adam House from avoiding the collision.

13. Plaintiffs allege that defendant Kado was operating as an agent and servant of and under the authority of Pure Transportation, LLC, and allege that his negligence is imputed to said defendant.

14. Plaintiffs allege that the collision aforesaid was caused by the negligence of defendant Kado, as set out more fully below:

- a. Defendant Kado was operating his vehicle without paying attention to the roadway conditions thereon.
- b. Defendant Kado failed to yield the right of way at entry to the highway to traffic lawfully travelling along the highway.
- c. Defendant Kado operated his vehicle in a reckless manner without having his vehicle under proper control.
- d. Defendant Kado operated his vehicle without keeping a proper lookout ahead and to his left before attempting to merge onto the highway.

- e. Defendant Kado operated his vehicle without exercising due care for other vehicles on the highway.
- f. Defendant Kado negligently operated his vehicle in violation of the rules of the road.

15. Defendant Kado operated his vehicle in violation of the following sections of *Tennessee Code Annotated*, to wit:

- a. 55-8-130 Vehicle Entering Through Highway or Stop Intersection
- b. 55-8-136 Drivers to Exercise Due care.
- c. 55-8-197 Failure to Yield Right-of-Way.
- d. 55-10-205 Reckless Driving.

16. Plaintiffs allege defendant Kado and defendant Pure Transportation operated their vehicle in interstate commerce, and were therefore under the jurisdiction of the Federal Motor Carrier Safety Regulations as defined by 49 C.F.R. § 380 in that failure to follow state traffic safety codes is also a violation of the federal code.

17. Plaintiffs allege that defendant Pure Transportation, as the owner of the vehicle, principal, and employer of defendant Kado is independently negligent in failing to supervise defendant Kado, failing to properly train him in the safe operation and driving of an over-the road tractor-trailer vehicle in interstate commerce, and in failing to properly review his training and background before allowing him to drive on the highways in interstate commerce.

18. Plaintiffs allege that as a result of the collision, plaintiff Adam House sustained severe and permanent injuries to his neck, spine, hips, and legs, including a fracture of his pelvis which required multiple hospitalizations and surgeries all of which disabled him to such an extent that his injuries are permanent in their effect on his capacity to earn a living and enjoy life.

19. Plaintiff Hailee B. House alleges that at all times herein material she was the wife of plaintiff Adam House. Plaintiff Hailee B. House was required to give up her household duties to care for her husband due to her husband's confinement to a wheelchair which required her to care for him in all aspects of living and brings this action for loss of services, companionship, and consortium from her husband as a result of the injuries suffered by plaintiff Adam House.

WHEREFORE, Plaintiff Adam Michael Chase House sues the defendants and each of them in the sum of Six Million and No/100 Dollars (\$6,000,000.00). Plaintiff Hailee B. House sues the defendants and each of them in the sum of One Million and No/100 Dollars (\$1,000,000.00). Plaintiffs demand a jury to try this cause.

Respectfully submitted,

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